

**EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	Chapter 7
	)	
LANSDOWNE CONSTRUCTION LLC,	)	Case No. 18-11754-KHK
	)	
Debtor.	)	

**PROCEDURES FOR THE PROSECUTION AND  
RESOLUTION OF AVOIDANCE CLAIMS**

These Avoidance Action Procedures have been approved by the United States Bankruptcy Court for the Eastern District of Virginia ("Court") in the above-captioned bankruptcy case by order entered on \_\_\_\_\_, 2018 (Docket No. \_\_\_\_ ) ("Procedures Order"). These procedures apply to all of the actions commenced by the Trustee seeking to recover transfers pursuant to §§ 544 – 550 of the Bankruptcy Code ("Avoidance Actions").

- A. Case-Specific Summons. The summons issued for each Avoidance Action will vary from the Court's standard form and will be an "Answer Only" summons. The summons will inform the defendant that it has thirty days from the date of service of the summons (rather than the date of issuance) to respond to the complaint. The summons will not set a pretrial conference date.
- B. Extension of Time by which Plaintiff Must Serve the Summons. The time period under Federal Rule of Civil Procedure 4, made applicable to the Avoidance Actions pursuant to Bankruptcy Rule 7004(e), by which plaintiff must serve the applicable summonses and complaints in the Avoidance Actions on defendants in the United States shall be extended by 30 days, without prejudice to plaintiff's right to seek

further extensions of time for cause shown. The Trustee shall endeavor to serve the summons and complaint as promptly as practicable after issuance of the summons.

- C. Stipulation to Extend Time for Defendants to Respond to the Complaint. Without further order of the Court, the parties may stipulate to extensions of time by no more than a total of sixty (60) days within which a defendant must respond to a complaint. The stipulation must be in writing to be binding on the Trustee and may be documented via electronic mail. Any extensions beyond sixty (60) days require approval of the Court.
- D. Scheduling Order. Within thirty (30) days of the filing of defendant's answer, the parties shall conduct a scheduling conference consistent with Federal Rule of Civil Procedure 26(f). At the scheduling conference, the parties shall endeavor to agree upon a scheduling order setting forth, among other things, the time to exchange initial disclosures, discovery deadlines and limitations, and scheduling a final pre-trial conference. If the parties are unable to agree upon a scheduling order at or within fourteen days from scheduling conference, the Trustee will promptly file a motion to approve a proposed scheduling order and schedule the same for a hearing date on the Court's regular adversary proceeding docket. Any pretrial motions must be scheduled for a hearing date on the Court's regular adversary proceeding docket.
- E. Settlement of Avoidance Actions. The Trustee may settle and compromise the Avoidance Actions in accordance with the following procedures:
- a. For the settlement of any Avoidance Action where the demand is \$100,000 or more, the Trustee will move for Court approval of the proposed settlement pursuant to Bankruptcy Rule 9019. The Trustee may combine multiple

requests for approval of settlements into a single motion. Any motion to approve a settlement of an Avoidance Action required under this subsection may be set for hearing on fourteen (14) days' notice.

- b. For the settlement of any Avoidance Action where the amount demanded is less than \$100,000, the Trustee shall be authorized to consummate such settlement without further Order of the Court and without giving notice to, or receiving consent from any other party. The Trustee shall file a report of any settlements under this subparagraph every sixty (60) days, provided however that the Trustee need not file a report in any sixty (60) day period in which no such settlements were consummated.

F. Notice of the Avoidance Action Procedures. A copy of the Avoidance Action Procedures will be served on each defendant with the applicable summons and complaint.